



FALL 1999

Great Lakes Commission to Host Marine Sanitation Devices Workshop in Hammond

The Marina Pavilion in Hammond will be the site of a regional workshop on the use of "marine sanitation devices" (or "MSDs") on Lake Michigan and the other Great Lakes. The workshop will be sponsored by the Great Lakes Commission and is set to begin at 9:00 a.m., CST, on November 10.

According to retired U.S. Coast Guard Commander, Eric Reeves, "There are three kinds of marine sanitation devices — Type I, II and III. The Type I and II MSDs are designed to treat sewage and discharge the treated effluent overboard. Type III MSDs are holding tanks designed to hold the sewage onboard the vessel until it can be discharged to a reception facility ashore."

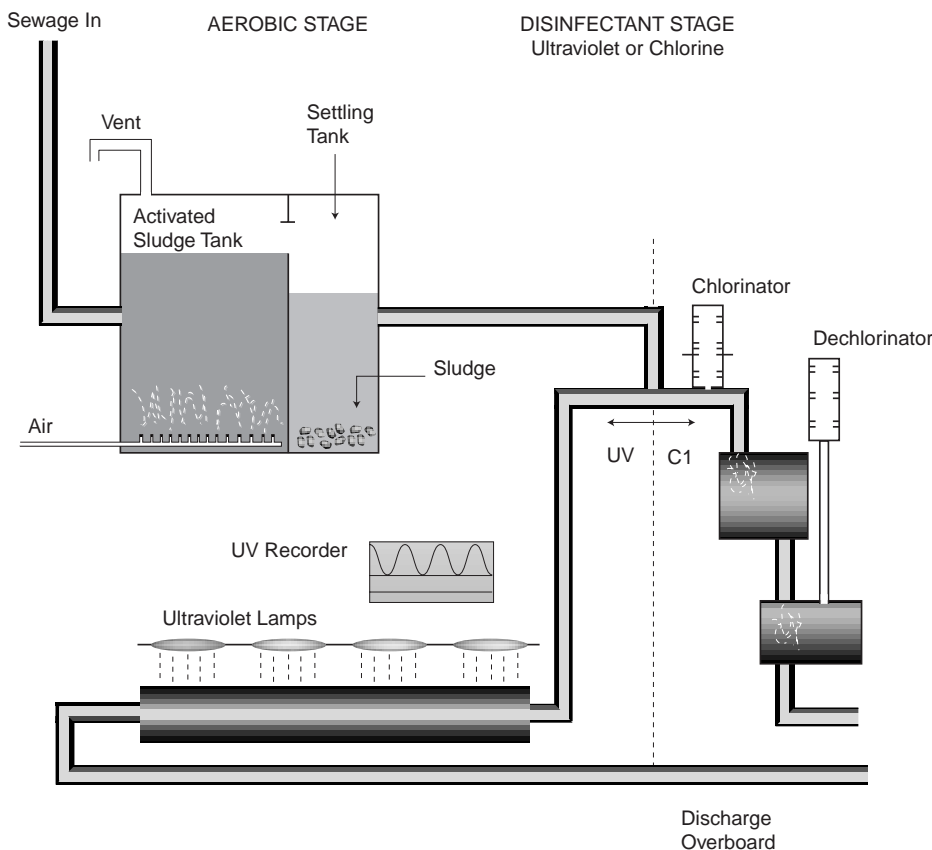
For Indiana's inland waters, waste discharges from vessels are prohibited. Coast Guard and EPA regulations generally allow for the use of MSDs on the Great Lakes, unless a state successfully petitions to have all or a portion of a Great Lake declared a no-discharge zone. Michigan has had all of its Great Lakes

waters declared a no-discharge zone, and Wisconsin has received a similar designation for its portion of Lake Michigan (but not for Lake Superior). As a result, discharges from Type I and Type II can lawfully occur only in the Indiana and Illinois waters of Lake Michigan.

In May 1998, a small group of Indiana and Illinois state agency representatives, charged with boating and water quality regulation, met in Chicago. Their purpose was to consider the impact of MSDs on southern Lake Michigan. The meeting had been urged by Indiana's Interagency Task Force on *E. coli*, a group focused on beach closings due to bacte-

On Shore for this issue:

US Navy Moves Forward	2
Preserving Natural Lands	3-4



For more information on the use of MSDs, see Giacoma and Reeves, “Making Sure That What Comes Out of the Ships Doesn’t Stink: Marine Sanitation Devices in the Great Lakes.” The article is available online at: <http://www.state.in.us/dnr/lakemich/article1/article1.htm>

For more information concerning the MSD Workshop in Hammond, contact:

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US Navy Moves Forward with Regulations to Control Incidental Wastewater Discharge from Military Vessels

Sewage is not the only potential source of biological pollution in wastewater that is discharged from vessels into Lake Michigan. Other examples include ballast water, deck runoff, and graywater. “Graywater” is wastewater generated from showers, baths, and galleys.

In 1996, Congress amended Section 312 of the Clean Water Act to authorize the Department of Defense and EPA to set Uniform National Discharge Standards (UNDS) for incidental liquid discharges from vessels of the US Armed Forces. These standards would be adopted as regulations and apply to wastewater other than sewage. The Department of Defense made the US Navy the lead agency for its participation in this process. *See also* Spring 1999, *Shorelines*, *New regulations to govern waste discharge.*

The UNDS regulations are being developed in three phases:

Phase I determined which incidental vessel discharges require control by marine pollution control devices (MPCDs) and which discharges are so minor as to not require control. Final

rial contamination. The “consensus of the participants” at the Chicago meeting “was, that before making recommendations to the policy makers in our two states and their agencies,” concerning the continued use of Type I and Type II MSDs, “there was a need to develop a fundamental understanding” of their operation and maintenance. The decision was made to ask Larry Macklin, Chair of Indiana’s delegation to the Great Lakes Commission, to author a resolution requesting the Commission to sponsor a workshop on the use of MSDs on the Great Lakes. Macklin agreed to sponsor the resolution, and the November 10 workshop is its direct result.

Cmdr. Patrick Gerrity of the Ninth District, U.S. Coast Guard in Cleveland, is scheduled to serve as moderator on a panel on regulatory and enforcement issues pertaining to MSDs. He is expected to be joined by Bill Burch, Marine Safety Branch of Transport Canada, and Terry Jordan, Marine Specialist of the St. Lawrence Seaway Development Corporation.

Peter McCarthy, Director of the Port of Indiana, will moderate a panel looking at MSDs from a commercial navigation perspective. Scheduled to join him are George Ryan, President of the Lake Carriers’ Association, and Helen Brohl, Executive Director of the U.S. Great Lakes Shipping Association. The latter two organizations together represent most of the larger commercial vessels operating from U.S. ports in the Great Lakes.

Kathy Luther, IDEM’s LaMP Coordinator for Lake Michigan and Co-Chair of the Interagency Task Force on *E. coli*, will serve as moderator of a panel looking at public health issues. Appearing with her will be Danielle Livinghouse of the LaPorte County Health Department; Greg Olyphant, Ph.D., Center for Geospatial Data Analysis at Indiana University; and Tom Anderson, Executive Director of the Save the Dunes Council.

The workshop will also feature a presentation by Allan Fleisher of Smith & Loveless concerning the design and operation of MSDs.

regulations to implement Phase I became effective in June 1999 and were published at 40 CFR 1700. A total of 39 discharges were considered, of which 25 were determined to warrant some level of control, although only a dozen are present on Lake Michigan:

- (1) chain locker effluent
- (2) ballast
- (3) controllable pitch propeller hydraulic fluid
- (4) deck runoff
- (5) firemain systems
- (6) graywater
- (7) hull coating leachate
- (8) lakewater cooling overboard discharge
- (9) lakewater piping biofouling prevention
- (10) small boat engine wet exhaust
- (11) surface vessel bilgewater/oilwater separator
- (12) underwater ship husbandry (cleaning the hull in waters)

Phase II is currently in progress. This phase will set performance standards for the MPCDs that will govern the 25 regulated discharges. Representatives of EPA, the Navy, and the Coast Guard met with state officials in Indianapolis on September 22, 1999 to discuss progress with respect to Phase II. According to David F. Kopack, NDS Program Manager for the Naval Sea Systems Command, MPCDs can be either “a technology or a management practice.” He said a proposed regulation to implement Phase II was expected to be published in the Federal Register in March 2001 with a final rule targeted for December 2001.

Phase III will later establish guidelines for designing, constructing, installing, and using the MPCDs.

The UNDS regulations apply to Lake Michigan and its navigable tributaries. The regulations generally preempt state authority in this area. For example, states ordinarily set total maximum daily loads (TMDLs) for wasteload allocations from point sources of water pollution. EPA and the Department of Defense interpret the Clean Water Act amendments

to mean states cannot write TMDLs for UNDS discharges. For Indiana, the primary near-term application of the regulations would be to US Coast Guard vessels. The regulations would not apply to commercial or recreational vessels unless further statutory amendments were made by Congress.

Preserving natural lands in all their variety

By Ronald Trigg,
Board of Trustees,
Shirley Heinze Environmental Fund

“Our goal is to improve the quality of life for Northwest Indiana residents by saving natural lands,” says Paul Kohlhoff, Executive Director of the Shirley Heinze Environmental Fund, a non-profit organization which has been preserving environmentally significant land in the southern Lake Michigan watershed since 1981. “This is one of the most biologically diverse regions in the country, and its unique richness is hosted in a variety of ecosystems reaching far beyond the beaches and high dunes familiar to tourists. Remaining natural lands are increasingly under threat from urban sprawl and development, and we are determined to ensure that future generations have access to open space, while at the same time conserving this region’s rare flora and fauna.”

The Heinze Fund has more than doubled its holdings in the past two years, and it prides itself in the variety of landscapes it has preserved. Nearly 600 acres in Lake, Porter and LaPorte Counties are now under its management, including two dedicated state nature preserves - Cressmoor Prairie in Hobart and Seidner Dune & Swale in Hammond. Several other properties are likely candidates for future state designation. The Heinze Fund works closely with other land preservation entities, including the DNR, the National Park Service, The Nature Conservancy, and county park systems. Many of its properties are contiguous to or near other protected lands, and the Heinze Fund has donated many parcels of land to Indiana Dunes National

Lakeshore.

Heinze Fund properties comprise the entire range of habitat communities in the area. In the Miller area of Gary, sand dunes and interdunal ponds are under Heinze Fund stewardship. South of there, at preserves in Hammond and Gary, lie examples of dune and swale, a globally rare ecosystem made up of alternating sand ridges and marshy wetlands. Heinze Fund properties in the Hobart Marsh area of Lake County include a wet woodland dominated by centuries-old bur oaks, a unique stepped fen, and areas of tallgrass prairie. Nearby Cressmoor Prairie is one of the few remaining sizable tracts of black-soil prairie in the state.

In Porter County, John Merle Coulter Nature Preserve includes sand prairie, oak savanna, and a rare yellow-birch fen. In the town of Beverly Shores, the Heinze Fund has acquired significant portions of the Great Marsh that runs parallel to the lakeshore, extending into national and state park territory. The preservation of this large wetland area is vital to efforts to improve water quality in Lake Michigan. LaPorte County holdings include wetlands rich in amphibian life, located adjacent to The Nature Conservancy’s Hildebrand Lake Preserve. The Heinze Fund’s newest acquisition, situated northeast of Michigan City, boasts what may be botanically the richest area of boreal flatwoods in the state.

Each of these varied habitats harbors its own unique plant and animal communities. Heinze Fund preserves offer safe haven to many state listed plants, as well as endangered fauna such as the Karner blue butterfly. “As we have increased the amount of land under our protection, we have had to expand our efforts to maintain and restore these precious lands,” says Heinze Fund President Myrna Newgent. “We are compiling detailed plant lists of all our preserves, and we have begun insect and herpetology surveys as well. Armed with such scientific data, we are better able to design and implement stewardship programs appropriate to each distinct habitat. Ev-

ery new piece of information further strengthens our belief that we are stewards of some genuine natural treasures.”

In recognition of its leadership in promoting habitat restoration and protecting wildlife, the Heinze Fund recently received the Joint Venture Non-game Partner Award from the Upper Mississippi/Great Lakes Region of the North American Waterfowl Management Plan Committee. The award is given annually to a partner in a joint-venture project supported by a grant awarded under the North American Wetlands Conservation Act. (The Heinze Fund is administrator of the seven-partner Southern Lake Michigan Coastal Wetlands Project.) The Heinze Fund was selected for this year’s award from among nominees representing an area comprising ten Midwestern states.

For more information about the Heinze Fund, contact Shirley Heinze Environmental Fund, 444 Barker Road, Michigan City, IN 46360, tel: 219-879-4725, e-mail: <shef@adsnet.com>.

The Lake Michigan Coastal Coordination Program is an effort by the State of Indiana to improve communications and cooperation among the agencies who participate in activities in the Lake Michigan coastal region. See <http://www.dnr.state.in.us/lakemich/index.htm>

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